

J. Stephen Peek, Esq. (Nevada Bar No. 1758)
Brad M. Johnston, Esq. (Nevada Bar No. 8515)
HOLLAND & HART LLP
5441 Kietzke Lane, Second Floor
Reno, Nevada 89511
Telephone: (775) 327-3000
Facsimile: (775) 786-6179

Charles K. Verhoeven, Esq.
Amy H. Candido, Esq.
Eric Wall, Esq.
QUINN EMANUEL URQUHART
OLIVER & HEDGES, LLP
50 California Street, 22nd Floor
San Francisco, California 94111
Telephone: (415) 875-6600
Facsimile: (415) 875-6700

Attorneys for Plaintiff and Counterdefendant Bally Gaming, Inc.
and Third Party Defendant Sierra Design Group

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

BALLY GAMING, INC., a Nevada corporation
d/b/a BALLY TECHNOLOGIES,

Plaintiff and Counterdefendant,

vs.

IGT, a Nevada corporation,

Defendant and Counterclaimant.

IGT, a Nevada corporation,

Third Party Plaintiff,

vs.

SIERRA DESIGN GROUP, a Nevada
corporation,

Third Party Defendant.

Case No. CV-S-06-0483-ECR-(RAM)

**REQUEST TO FILE DOCUMENTS UNDER
SEAL AND ORDER**

REQUEST TO FILE UNDER SEAL

Plaintiff Bally Gaming Inc. (“Bally”) and Third Party Defendant Sierra Design Group (“SDG”) respectfully request the Court allow Bally and SDG to file under seal the following documents:

MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF PLAINTIFF BALLY GAMING, INC. AND SIERRA DESIGN GROUP’S JOINT EMERGENCY MOTION TO STRIKE IGT’S MOTION FOR SUMMARY JUDGMENT NO. 2;

MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF PLAINTIFF BALLY GAMING, INC.’S EMERGENCY MOTION TO STRIKE IGT’S MOTION FOR SUMMARY JUDGMENT NO. 3 AND PORTIONS OF THE ACCOMPANYING SERTELL DECLARATION; AND

CONFIDENTIAL DECLARATION OF ERIC WALL IN SUPPORT OF PLAINTIFF BALLY GAMING, INC.’S EMERGENCY MOTION TO STRIKE IGT’S MOTION FOR SUMMARY JUDGMENT NO. 3 AND PORTIONS OF THE ACCOMPANYING SERTELL DECLARATION.

The Stipulated Protective Order Regarding Confidential and Privileged Information provides that, “To the extent that any Confidential or Highly Confidential Information is contained in, incorporated in, reflected in, described in, or attached to any document submitted to the Court, counsel shall file that submission under seal.” (See Docket Entry No. 54 at ¶ 12.) The Order defines “Confidential” material as any information that the designating party has a good faith belief to be non-public. “Highly Confidential” material is any information that the designating party has a good faith belief to be proprietary information, trade secrets, or other highly sensitive commercial or competitive information. (See *id.* at ¶¶ 3-4.)

For the foregoing reasons, Bally and SDG respectfully request the Court to order that the aforementioned documents, along with all exhibits, shall be maintained under seal.

1 Dated: July 16, 2008

3 /s/

4 J. Stephen Peek, Esq.
5 Brad M. Johnston, Esq.
6 HOLLAND & HART LLP
7 5441 Kietzke Lane, Second Floor
8 Reno, Nevada 89511
9 Telephone: (775) 327-3000
10 Facsimile: (775) 786-6179

11 Charles K. Verhoeven, Esq.
12 Amy H. Candido, Esq.
13 Eric Wall, Esq.
14 QUINN EMANUEL URQUHART
15 OLIVER & HEDGES, LLP
16 50 California Street, 22nd Floor
17 San Francisco, California 94111
18 Telephone: (415) 875-6600
19 Facsimile: (415) 875-6700

20 Attorneys for Plaintiff and
21 Counterdefendant Bally Gaming, Inc. and
22 Third Party Defendant Sierra Design
23 Group.

17 IT IS SO ORDERED

18 Dated: July 17, 2008

19 

21 Hon. Robert A. McQuaid, Jr.
22 United States Magistrate Judge